

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

Tenesha Whitaker, Special Administrator of))	
the Estate of FLINT FARMER, deceased,)	
)	
Plaintiff,)	
vs.)	Case No. 11 CV 7362
)	
City of Chicago, a municipal corporation,)	
and Gildardo Sierra, individual.)	
)	
Defendants.)	
)	

NOTICE OF REMOVAL

Defendant City of Chicago, by one of its attorneys, Thomas J. Platt, Deputy Corporation Counsel of the City of Chicago, respectfully remove the above entitled action to this Court, pursuant to 28 U.S.C. §1441(b) and (c), §1446, and on the following grounds:

1. Defendant City of Chicago was named as defendant in a civil action filed on August 11, 2011, in the Circuit Court of Cook County of the State of Illinois, case number 2011 L 006178, entitled Tenesha Witaker, as Special Administrator of the Estate of Flint Farmer, deceased v. City of Chicago and unknown Chicago police officers.

2. The summons and complaint were served upon the City of Chicago's Office of the City Clerk on or about June 21, 2011. See summons and complaint attached hereto as Exhibit A.

3. An Amended Complaint was filed on October 11, 2011 naming Gildardo Sierra and alleging Federal Claims. See Amended Complaint attached hereto as Exhibit B. Gildardo Sierra has not been served, yet will agree to this removal.

4. Plaintiff brings this action pursuant to 42 U.S.C. § 1983 and Illinois common law. In

Counts I & VII, Plaintiff alleges that the defendants violated the Forth & Fourteenth Amendments of the United States Constitution. The remaining counts allege that defendants didn't avoid willful and wanton misconduct resulting in the death of plaintiff and conspiracy in violation of his rights under Illinois law.

5. Defendants are entitled to remove this action to this court, pursuant to 28 U.S.C. §1441(b) and (c).

6. It appears from the face of plaintiff's complaint that this is, primarily, a civil rights action which arises under the United States Constitution and involves a federal question. Plaintiff's complaint alleges, among other things, that the defendant violated the rights of the plaintiff as guaranteed by the United States Constitution.

7. In addition, defendant City of Chicago, respectfully submits the attached additional documents filed with the Circuit Court of Cook County, Illinois. See Pleadings attached hereto as Exhibit C, See Motions attached hereto Exhibit D and See Orders attached hereto Exhibit E.

WHEREFORE, Defendant City of Chicago respectfully requests that the above-entitled action now pending in the Circuit Court of Cook County in the State of Illinois, case number 2011 L 006168, be removed therefrom to this Court.

Respectfully submitted,

/s/ Thomas J. Platt
Thomas J. Platt
Deputy Corporation Counsel

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